

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

ANTOINE WILLIAMS,

Plaintiff,

v.

CASE NO:

HON:

MACOMB COUNTY, SAMANTHA HAMMONTREE,  
RAYVIN TOMA, KEITH THOME, BARTOSZ NOWAK,  
JEFFREY RATTRAY, and SCOTT CAMPAU,  
in their individual and official capacities,

Defendants.

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CHRISTOPHER TRAINOR & ASSOCIATES

CHRISTOPHER J. TRAINOR (P42449)

SHAWN C. CABOT (P64021)

KRYSTINA R. DOSS (P77365)

Attorneys for Plaintiff

9750 Highland Road

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THERE IS NO OTHER PENDING OR RESOLVED ACTION ARISING OUT  
OF THE TRANSACTION OR OCCURRENCE ALLEGED IN THE  
COMPLAINT

**COMPLAINT AND JURY DEMAND**

**NOW COMES** Plaintiff, **ANTOINE WILLIAMS**, by and through his  
attorneys, CHRISTOPHER TRAINOR & ASSOCIATES, and for his Complaint  
against the above-named Defendants states as follows:

1. Plaintiff is a resident of the City of Detroit, County of Wayne, State of Michigan.

2. Defendant Macomb County is a municipal corporation and governmental subdivision which is organized and existing under the laws of the State of Michigan.

3. Defendants Hammontree, Toma, Thome, Nowak, Rattray, and Campau are and/or were corrections officers with the Macomb County Jail at all times mentioned herein and were acting under color of law, in their individual and official capacities, and within the course and scope of their employment.

4. All events giving rise to this lawsuit occurred in the City of Mt. Clemens, County of Macomb, State of Michigan.

5. Jurisdiction is vested in this Court pursuant to 28 U.S.C. § 1331 [federal question], 28 U.S.C. § 1343 [civil rights].

6. That this lawsuit arises out of Defendants' violations of Plaintiff's federal constitutional rights as secured by the Fourteenth Amendment to the United States Constitution and consequently, Plaintiff has a viable claim for damages under 42 U.S.C. § 1983.

7. That the amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00) not including interest, costs, and attorney fees.

## **FACTS**

8. Plaintiff realleges and incorporates by reference each and every paragraph of this Complaint as though fully set forth herein.

9. On February 3, 2020, the Macomb County Sheriff's Department picked up Plaintiff from the Wayne County Sheriff's Department on a warrant; and Plaintiff was taken to the Macomb County Jail where he was then turned over to the Macomb County Jail booking staff.

10. At all relevant times herein, Plaintiff was a pretrial detainee.

11. While sitting in the booking area waiting to be medically screened, Plaintiff was speaking with another inmate sitting alongside of him; and Plaintiff made a comment to the inmate about Defendant Hammontree's buttocks.

12. Then, without warning, Defendant Hammontree grabbed Plaintiff and threw him to the ground

13. From the time Plaintiff was thrown to the floor and was taken to and ultimately left alone in a holding cell, Defendants Hammontree, Toma, Thome, Nowak, Rattray, and Campau participated in dragging Plaintiff, punching Plaintiff, kicking Plaintiff about his body, and stomping on his leg for no legally justifiable reason whatsoever.

14. As a result of Defendants' unlawful actions, Plaintiff suffered injuries and damages.

**COUNT I**  
**VIOLATION OF THE FOURTEENTH AMENDMENT**  
**42 U.S.C. § 1983 EXCESSIVE FORCE**

15. Plaintiff realleges and incorporates by reference each and every paragraph of this Complaint as though fully set forth herein.

16. The Due Process Clause of the Fourteenth Amendment prevents the use of excessive physical force against pretrial detainees and imposes a duty on police officials to take reasonable measures to guarantee the safety of those under their care.

17. Each of the individually-named Defendant violated Plaintiff's clearly established and federally protected rights as set forth under the United States Constitution and the Amendments thereto, including, but not limited to, the Fourteenth Amendment of the United States Constitution to be free from unreasonable searches and seizures mainly to be free from excessive use of force, when they employed unnecessary and unreasonable excessive force which resulted in significant injuries and damages to Plaintiff.

18. At all relevant times herein, the individually-named Defendants acted under color of law, within the scope and course of their employment, and in their official and individual capacities.

19. The actions of the individually-named Defendants were at all times unlawful and in violation of Plaintiff's clearly established rights under the Fourteenth

Amendment to the United States Constitution which proximately resulted in significant injuries to Plaintiff.

20. The individually-named Defendants are not entitled to qualified immunity because they violated Plaintiff's clearly established Fourteenth Amendment right to be free from excessive use of force.

21. As a proximate result of the violations and/or deprivations of Plaintiff's constitutional rights by the individually-named Defendants, Plaintiff has a viable claim for compensatory and punitive damages pursuant to 42 U.S.C. § 1983; together with costs, interests, and attorney fees as set forth in 42 U.S.C. § 1988.

**WHEREFORE**, Plaintiff respectfully requests that this Honorable Court enter an award in his favor and against Defendants in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00) exclusive of costs, interest, and attorney fees.

**COUNT II**  
**DEFENDANT MACOMB COUNTY'S CONSTITUTIONAL VIOLATIONS**

22. Plaintiff realleges and incorporates by reference each and every paragraph of this Complaint as though fully set forth herein.

23. Defendant Macomb County permitted customs, practices, and/or policies which resulted in the violations of Plaintiff's constitutional rights as complained of herein.

24. These customs, practices, and/or policies included, but were not limited to, the following:

- a. Failing to adequately train and/or supervise its corrections officers so as to prevent violations of citizens' constitutional rights;
- b. Failing to adequately train and/or supervise corrections officers regarding the proper use of force;
- c. Failing to adequately train and/or require corrections officers to timely and adequately document interactions with inmates upon whom force is used; and
- d. Failing to adequately supervise, review, and/or discipline corrections officers whom Defendant Macomb County knew or should have known were violating or were prone to violate citizens' constitutional rights, thereby permitting and/or encouraging its corrections officers to engage in unlawful conduct.

25. Defendant's conduct was so reckless so as to demonstrate deliberate indifference for whether an injury resulted.

26. Defendant's acts and/or indifference and/or omissions were the direct and proximate cause of Plaintiff's injuries.

27. The facts as set forth in the preceding paragraphs constitute a violation of Plaintiff's constitutional rights; and pursuant to 42 U.S.C. § 1983, Plaintiff has a

viable claim for compensatory and punitive damages, costs, and attorney fees as set forth in 42 U.S.C. § 1988.

**WHEREFORE**, Plaintiff respectfully requests that this Honorable Court enter an award in his favor and against Defendants in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00) exclusive of costs, interest, and attorney fees.

Respectfully Submitted,  
CHRISTOPHER TRAINOR & ASSOCIATES

s/ Shawn C. Cabot  
CHRISTOPHER J. TRAINOR (P42449)  
SHAWN C. CABOT  
KRYSTINA R. DOSS (P77365)  
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Dated: December 18, 2020  
SCC/

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**DEMAND FOR JURY TRIAL**



**NOW COMES** Plaintiff, by and through his attorneys, CHRISTOPHER TRAINOR & ASSOCIATES, and hereby makes a Demand for Trial by Jury in the above-captioned matter.

Respectfully Submitted,  
CHRISTOPHER TRAINOR & ASSOCIATES

s/ Shawn C. Cabot  
CHRISTOPHER J. TRAINOR (P42449)  
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